



Center for Health, Environment & Justice

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December 10, 2014

EPA Administrator Gina McCarthy
USEPA Headquarters
c/o Regina McCarthy
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
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Dear Administrator McCarthy,

On September 25, 2014, CHEJ requested a meeting with you to discuss the on-going fire at the Bridgeton Landfill and the threat this fire poses to the West Lake Superfund site and the surrounding community. Karl Brooks, the Region 7 Administrator responded to this request on your behalf as "Region 7 is leading this agency's complex efforts to protect the health of communities surrounding the West Lake Superfund site." Since that time, new information has surfaced that have led us to a loss of confidence in the ability of EPA Region 7 to protect the health of communities surrounding the West Lake Landfill. I have listed below some of the key documents that have been released and activities that have occurred since my initial request to meet with you.


EPA Region 7's stubborn unwillingness to meaningfully address risks posed by the existing underground landfill fire is reprehensible and flies in the face of not just common sense, but also good public health practice. For this and other reasons, we have lost all confidence in EPA Region 7 to protect the health of the communities surrounding these landfills and we request a meeting with you after the holidays to address these matters.

I look forward to hearing from you and to setting a time and date for Just Moms STL and I to meet with you soon.

Sincerely,

Lois Marie Gibbs
Executive Director

Key documents that have been released and activities that have occurred since our initial request to meet with you are below. I am confident that after reviewing the summary you'll understand our concerns.

- On October 7th the Missouri Department of Natural Resources, Solid Waste Management Program wrote to Republic Services, the owner of the Bridgeton Landfill telling them that new data they had collected has confirmed that the underground fire at the Bridgeton Landfill is spreading northward in the direction of the highly radioactive waste buried at the West Lake Superfund site and that Republic needs to do more to stop it.
- On October 10th the EPA Region 7 released its report Isolation Barrier Alternatives Analysis, West Lake Landfill Superfund Site. This report unbelievably fails to consider numerous critical factors related to the realities of a subsurface smoldering event (SSE) occurring at the adjacent Bridgeton landfill. Many critical comments are included in the bullets below.
- Just Moms STL and I met via conference call (on October 23) with Karl Brooks. This meeting failed to resolve the concerns posed by Just Moms STL and the follow-up correspondence with Dr. Brooks has further confused the issues (see embedded file to right). 
- On October 29th EPA Region 7 stated in response to questions raised by the public that it did not consider the landfill fire a risk to the radioactive wastes in its 2008 decision to cap-and-leave the materials in place. "No landfill fires or subsurface oxidative events were identified during the remedial investigation, feasibility study, or proposed planned phases of work on OU-1." Since that time, the uncontrolled landfill fire has occurred and has continued for close to four years. This is a significant change in the conditions at the site that EPA Region 7 needs to act on. As things stand, the risks to the surrounding communities posed by the smoldering landfill fire reaching the radioactive waste in the West Lake Landfill **have not been considered by EPA Region 7** in its analysis of the public health risks in selecting a remedy for this site.

The only independent assessment regarding risks to people living near the landfill is included in a two page memo from the USEPA Office of Research and Development (ORD). The memo states that a smoldering fire, "may result in increased emissions of radon **and other contaminants** in the air and groundwater, even with annual inspections and proper maintenance of designs discussed in the 2008 ROD and 2011 SFS." The ORD goes on to say there could be short-term and long-term risks to people should a smoldering fire reach the radioactive wastes.

The ORD document is in response to Republic Services' claim that there is no environmental or health threat if a smoldering landfill fire reached radioactive wastes at the West Lake Landfill. Republic Services continues to claim that only radon is a threat to public health in a statement made this October, even though the ORD clearly states that radon **and other contaminants** can be released into the air. Republic Services is currently in charge of creating the documents being used by EPA Region 7 for its forthcoming decision about the radioactive wastes.

Even more disturbing is that EPA Region 7 does not have plans for an independent fire risk assessment that would inform the upcoming decision regarding the removal of the radioactive wastes. In addition, EPA Region 7 has expressed publically that it **cannot include the known smoldering fire, the documented two past fires, or the potential for future fires** at the landfill as part of the risk assessment for this site.

- On November 20th a fact sheet prepared by EPA Region 7 states that "even if a SSE were to contact the RIM (radioactively impacted materials [added for clarification]), EPA does not believe it would become reactive or explosive at the temperatures that are typically observed in a SSE." EPA has no data to support this critical comment and as noted in the last paragraph in the bullet above, the agency does not even know how to calculate the risks posed by a smoldering subsurface fire.
- On November 21st the Missouri Department of Health and Senior Services (DHSS) wrote to the MO Department of Natural Resources with its concerns about the EPA Region 7's *Isolation Barrier Alternatives Analysis, West Lake Landfill Superfund Site* report. The main concern raised in this correspondence is that EPA Region 7 used a dated software program from 1989 to estimate the amount of radon that would be released should a subsurface smoldering event occur and that it "may not be sufficient to protect human health." DHSS has asked EPA Region 7 to use an updated software program from 2013.

DHSS goes on to say that "Regardless of the model used, all models pose some level of uncertainty. Due to this uncertainty, in the event an SSE occurs in the radiologically-impacted material (RIM), DHSS recommends that environmental samples be collected to determine if levels of radon and its progeny pose unacceptable risk to workers and the public." At this time, EPA Region 7 has no plans for such testing.

- On November 24th the Missouri Department of Natural Resources wrote to EPA Region 7 with its concerns about the Region 7's *Isolation Barrier Alternatives Analysis, West Lake Landfill Superfund Site* report. Many concerns are raised in this correspondence including EPA Region 7's failure to respond to a report prepared for the MO DNR called

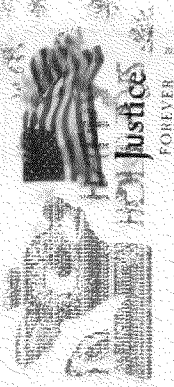
the *Evaluation of Possible Impacts of a Potential Subsurface Smoldering Event on the Record of Decision - Selected Remedy for Operable Unit-1 at the West Lake Landfill* which specifically identifies potential routes of exposure that could result from an SSE; inconsistency in the EPA Region 7 report related to the current understanding of the site conditions related to the location the RIM waste in the landfill; the failure to “Include analysis of risk associated with conditions that could be created by an SSE or surface fire;” the need for further characterization of the RIM; the lack of clarity as to whether the alternatives considered in the Region 7 report comply with all Applicable or Relevant and Appropriate Requirements (ARARS); and the failure of the No Action alternative to consider numerous critical factors related to the realities of a subsurface smoldering event occurring at the adjacent Bridgeton landfill.



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